

DEVELOPMENT CONDITIONS

SEA 83-V-076

June 16, 2010

If it is the intent of the Board of Supervisors to approve SEA 83-V-076, previously approved for a public benefit association, located at 9518 Richmond Highway [Tax Map 107-4 ((1)) 34 and 107-4 ((5)) 4] to permit an accessory storage structure and site modifications, pursuant to Section 3-804 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These development conditions incorporate and supersede all previous development conditions. Previously approved conditions or those slightly modified are marked with an asterisk (*).

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception Amendment is granted only for the purpose(s), structure(s), and/or use(s) indicated on the Special Exception Amendment Plat approved with this application, as qualified by these development conditions.*
3. A copy of this Special Exception Amendment and the Non-Residential Use Permit shall be posted in a conspicuous space on the property of the use and be made available to all departments of Fairfax County during the hours of operation of the permitted use.*
4. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception Amendment shall be in substantial conformance with the approved Special Exception Plat entitled "Lorton Community Action Center" prepared by VIKA, Inc., consisting of 5 sheets dated April 9, 2010 as revised through June 8, 2010, and these conditions. Minor modifications to the approved Special Exception Amendment may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
5. Existing vegetation should be preserved to screen the structure from the north. All trees proposed for preservation shall be protected by tree protection fence. Irrespective of what is shown on the SEA Plat, the monarch 58-inch diameter white oak tree in the northeast corner of the site shall also be protected by tree protection fence during any demolition and construction activities (including installation of the proposed storage trailer) near the tree. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart shall be erected adjacent to those areas on the SEA Plat where there is a "limit of clearing and grading."

All tree protection fencing shall be installed prior to any clearing and grading activities, including demolition and the installation of the storage trailer. The installation of all tree protection fencing shall be performed under the direct supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the Urban Forest Management Division (UFMD), DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities (including installation of the storage trailer) shall occur until the fencing is installed correctly, as determined by UFMD, DPWES. A representative of UFMD shall be invited to a pre-construction meeting once construction (such as the installation of the trailer) is to occur. There shall be no movement or storage of construction equipment within, or at, the dripline of the monarch oak at any time.

6. A landscape plan shall be submitted for the review and approval of UFMD, DPWES, concurrent with site plan submission. This plan shall provide for the number, type and sizes of trees and planting on site and shall be consistent with that depicted on the SEA Plat. All landscaping shall be installed prior to the issuance of the Non-Residential Use Permit.
7. All lighting, including streetlights, security lighting, signage lighting and pedestrian or other incidental lighting, shall be in accordance with the Performance Standards contained in Par. 9 of Article 14 of the Zoning Ordinance.
8. The trash and recycling dumpsters for the Lorton Community Action Center shall be screened with a seven (7) foot high board on board fence, as shown on the SEA Plat.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception Amendment shall not be valid until this has been accomplished.

Pursuant to Sect. 9-015 of the Zoning Ordinance, this Special Exception Amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as evidenced by the issuance of the Non-RUP. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the Special Exception Amendment. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.